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LITHIUM BATTERIES

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

JAN 14 1987

Honorable Les Aspin
House of Representatives
Washington, D.C. 20515

Dear Mr. Aspin:

Thank you for your December 18, 1986, letter requesting that the Environmental Protection Agency (EPA) make a determination as to whether lithium thionyl chloride (SOCL₂) batteries are hazardous wastes.

As you may know, wastes are considered hazardous under regulations issued pursuant to the Resource Conservation and Recovery Act (RCRA) if they are either specifically listed as hazardous wastes or if they exhibit one of four characteristics (i.e., ignitability, corrosivity, reactivity, or Extraction Procedures Toxicity). Lithium batteries are not listed hazardous wastes at this time and the Agency is not currently planning to list them as hazardous.

With respect to the characteristics of hazardous waste, determinations as to whether a particular material exhibits a characteristic is, by regulation (40 CFR §262.11(c)), the responsibility of individual generators. Although the Agency rendered an opinion in March of 1984 with respect to lithium sulfur dioxide (LI/SO₂) batteries, we did so only after repeated requests from the Army and because there had already been considerable work done on LiSO₂ systems which allowed the Agency to render an opinion without extensive additional study. Further work on other lithium battery systems is not currently underway and other priorities established by the Hazardous and Solid Waste Amendments of 1984 (HSWA) will preclude us from initiating such a study any time in the immediate future. Consequently, we suggest that the Department of Defense, perhaps in cooperation with the battery

manufacturers, evaluate these other lithium systems against the characteristics in Subpart C of Part 261.

If I can be of any further assistance in this matter, please do not hesitate to call.

Sincerely,

J. Winston Porter
Assistant Administrator